

OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the
WEST MOUNTAIN SPECIAL SERVICE DISTRICT, dated February 23rd, 2010,
complying with Section 17D-1-209, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the WEST MOUNTAIN SPECIAL SERVICE DISTRICT, located in Utah County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 30th day of March, 2010.

Lieutenant Governor

Ballard Spahr

One Utah Center, Suite 800 201 South Main Street Salt Lake City, UT 84111-2221 TEL 801.531.3000 FAX 801.531.3001 www.ballardspahr.com

March 24, 2010

By Hand Delivery

Lieutenant Governor's Office State Capitol Building, Suite 220 Salt Lake City, Utah 84114

Re: CREATION OF WEST MOUNTAIN SPECIAL SERVICE DISTRICT

To Whom It May Concern:

In accordance with Section 17D-1-209 of the Special Service District Act, Utah Code Annotated 1953, as amended, we hereby file, on behalf of the Board of County Commissioners of Utah County, Utah, a copy of a Notice of Impending Boundary Action and a copy of an approved final local entity plat with regard to the creation of the West Mountain Special Service District. In accordance with Section 17D-1-209 of the Utah Code, we request the Lieutenant Governor to issue a certificate of incorporation for the West Mountain Special Service District. If you have any questions, please contact me at (801) 531-3000.

Very truly yours,

Danci Hephane Darci L. Stephens

Enclosure

Received

MAR 2 4 2010

Greg Bell Lieutenant Governor

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

NOTICE OF IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that in accordance with Section 17D-1-209 of the Limited Purpose Local Government Entities—Other Entities, Utah Code Annotated 1953, as amended, the Board of County Commissioners of Utah County, Utah adopted a resolution on February 23, 2010 to create a Special Service District to be known as the "West Mountain Special Service District." The boundary action to which this notice pertains is the establishment of a local entity through the creation of the West Mountain Special Service District, and the undersigned hereby request the issuance of a certificate of incorporation by the Lieutenant Governor. The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED as of this February 23, 2010.

BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH

(SEAL)



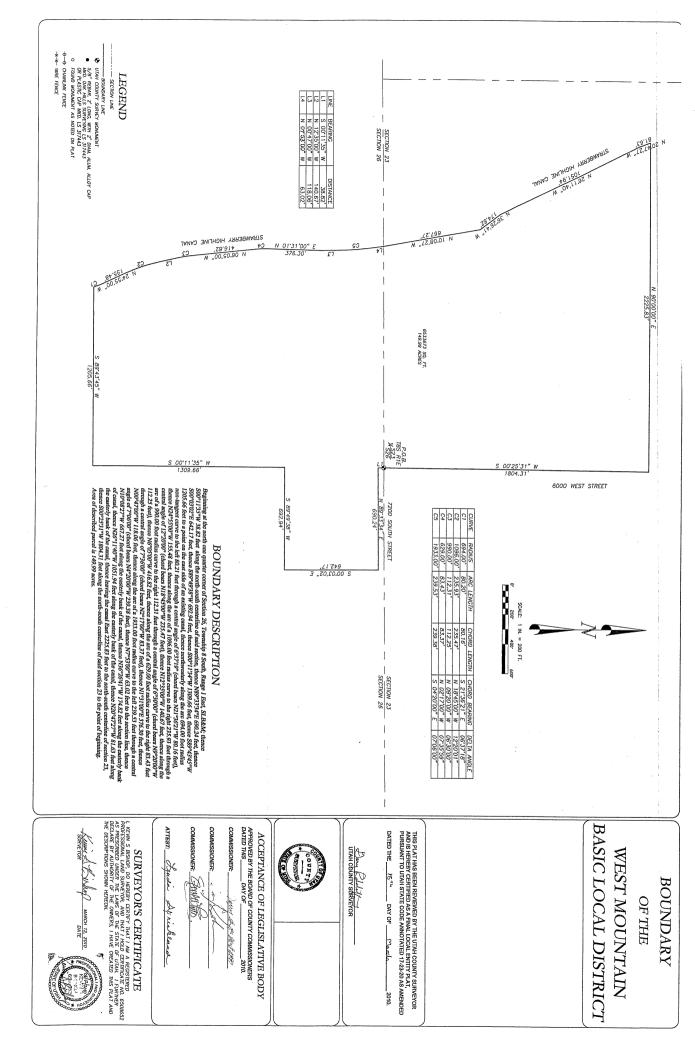
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Vice-Chair

Commissioner

Attest:

County Clerk/Auditor



February 23, 2010

The Board of County Commissioners (the "Board") of Utah County, Utah, met in regular public session at its regular meeting place of the Board in Provo, Utah, on Tuesday, February 23, 2010, at 9:00 a.m. The meeting was called to order by the Chair of the Board with the following being present, and constituting a quorum:

Steve White Gary J. Anderson Larry A. Ellertson

Commission Chair Commissioner Commissioner

Also present:

Bryan E. Thompson E. Kent Sundberg

County Clerk/Auditor Chief Civil County Attorney

Absent:

After the meeting had been duly called to order, and after other matters not pertinent to this resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this February 23, 2010, meeting was presented to the Board, a copy of which is attached hereto as Exhibit A.

The County Clerk/Auditor then stated that no protests had been received during the fifteen-day protest period following the July 14, 2009 public hearing with regard to the proposed West Mountain Special Service District (the "District"), that less than 33% of the registered voters of the territory proposed to be included within the proposed District and the owners of less than 33% of the taxable value of the taxable property included within the proposed District have filed written protests against the creation of said District or against the specified type of service, within said District, proposed to be furnished and that according to proceedings adopted at the July 14, 2009 meeting, the Board should now consider a resolution creating the District.

Thereupon, the following Resolution was approved and adopted on the following recorded vote:

AYE:

Commissioner White Commissioner Anderson Commissioner Ellertson

NAY:

The Resolution was then signed by the Chair in open meeting and recorded by the County Clerk/Auditor in the official records of Utah County, Utah. The Resolution is as follows:

RESOLUTION NO. 2010-36

A RESOLUTION CREATING THE WEST MOUNTAIN SPECIAL SERVICE DISTRICT, AUTHORIZING THE IMPROVEMENTS, PURPOSES AND SERVICES OF THE DISTRICT AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT; AND RELATED MATTERS.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH, AS FOLLOWS:

Section 1. The Board of Commissioners of Utah County, Utah (the "Board") adopted a resolution on June 16, 2009 declaring that the public health, convenience, and necessity require the creation of a special service district and indicating its intent to create the West Mountain Special Service District (the "District") to provide the services described in the Notice of Intention to Create a Special Service District (the "Notice of Intention") approved by the June 16, 2009 resolution.

Section 2. The Board has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or the construction of any of the improvements therein, or on any other matter pertinent to the District.

Section 3. The Board hereby finds that less than 33% of the registered voters of the territory proposed to be included within the proposed District and the owners of less than 33% of the taxable value of taxable property included within the proposed District have filed written protests against the establishment of said District or against the specified type of service, within said District, proposed to be furnished.

Section 4. The improvements, purposes and services proposed and described in the Notice of Intention are hereby authorized, and the District is hereby created with the boundaries described in <u>Exhibit B</u> hereto, which boundaries are within the boundaries described in the Notice of Intention.

Section 5. The Board shall control and have supervisory authority over all activities of the District, but may, in its discretion, delegate certain of its powers to an administrative control board as permitted by the Special Service District, Act, Title 17D, Chapter 1, Utah Code Annotated 1953, as amended.

Section 6. The County Clerk/Auditor is hereby authorized to file or cause to be filed with the Lieutenant Governor of the State of Utah a notice with regard to the creation of the District, accompanied by (i) a copy of a notice of impending boundary action in the form attached hereto as Exhibit C and (ii) a copy of an approved final local entity plat.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH THIS FEBRUARY 23, 2010.

By:

Chair

ATTEST:

By:_

County Clerk/Auditor

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(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the meeting adjourned.

(SEAL)

CLERK AUDITOR

-Chair

ATTEST:

By: Thu E Mony Clerk/Auditor

STATE OF UTAH) : ss. COUNTY OF UTAH)

I, Bryan E. Thompson, the duly appointed and qualified County Clerk/Auditor of Utah County, Utah (the "County"), do hereby certify according to the records of the Board of County Commissioners of the County in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of said Board held on February 23, 2010, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said County, this February 23, 2010.

(SEAL)

TE OF UT

COUNTY Clerk/Auditor

CLERK

AUDITOR

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

- I, Bryan E. Thompson, the undersigned County Clerk/Auditor of Utah County, Utah (the "County") do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the February 23, 2010, public meeting held by the Board of County Commissioners (the "Board") as follows:
 - (a) By causing a Notice, in the form attached hereto as <u>Schedule 1</u>, to be posted at the principal offices of the County on February 19, 2010, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;
 - (b) By causing a copy of such Notice, in the form attached hereto as <u>Schedule 1</u>, to be delivered to <u>The Daily Herald</u>, on February 19, 2010, at least twenty-four (24) hours prior to the convening of the meeting; and
 - (c) By causing a copy of such Notice, in the form attached hereto as <u>Schedule 1</u>, to be published on the Utah Public Notice Website (http://pmn.utah.gov) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2010 Annual Meeting Schedule for the Board of the County (attached hereto as <u>Schedule 2</u>) was given specifying the date, time and place of the regular meetings of the Board of the County to be held during the year, by causing said Notice to be (i) posted on December 4, 2009, at the principal office of the County, (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on December 4, 2009 and (iii) published on the Utah Public Notice Website (http://pmn.utah.gov) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this February 23, 2010.

(SEAL)

County Clerk/Audito

PUBLIC NOTICE IS HEREBY GIVEN THAT THE

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

WILL HOLD ITS REGULAR PUBLIC MEETING IN THE COMMISSION CHAMBERS - ROOM 1400 OF THE UTAH COUNTY ADMINISTRATION BUILDING 100 East Center Street, Provo, Utah February 23, 2010 - 9:00 A.M.

PUBLIC HEARING

PUBLIC HEARING FOR THE RECOMMENDED AGRICULTURE PROTECTION AREA FOR RICKY TAYLOR, SECTIONS 25 AND 24, TOWNSHIP 9 SOUTH, RANGE 1 EAST AND SECTIONS 19 AND 30, TOWNSHIP 9 SOUTH, RANGE 2 EAST, NORTHWEST OF SANTAQUIN CITY, 148.59 ACRES-Set during the Regular Meeting of the Utah County Board of Commissioners on February 9, 2010

CONSENT AGENDA

- 1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO DECLARE THE ATTACHED LIST OF FIREARMS AS SURPLUS
- 2. APPROVE AND RATIFY COMMISSION SIGNATURES ON SCHEMATIC DESIGN SUMMARY FOR THE UTAH COUNTY CONVENTION CENTER
- 3. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY HEALTH DEPARTMENT AND THE CHILDREN'S JUSTICE CENTER
- 4. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2010-7
- 5. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60207, DATED FEBRUARY 4, 2010
- 6. APPROVE THE MINUTES OF THE FEBRUARY 16, 2010 COMMISSION MEETING

7.	RATIFICATION OF	ATION OF WARRANT REGISTER SUMMARY FOR AGENDA OF FEBRUARY 9, 2010				
	Register No. 160	Feb 12, 2010	Direct Deposit: 7700-7700	Total:	\$	631.76
	Register No. 161	Feb 12, 2010	Check Nos. 125973-125981	Total:	\$	3,642.00
	Register No. 162	Feb 16, 2010	Direct Deposit: 7701-7705	Total:	\$	881.64
	Register No. 163		Check Nos. 125982-125997	Total:	\$	15,435.03
	Register No. 164	Feb 16, 2010	Direct Deposit: 7706-7706	Total:	\$	674.85
	Register No. 165	Feb 16, 2010	Check Nos. 125998-126048	Total:	\$	63,802.00
	Register No. 166	Feb 17, 2010	Check Nos. 126049-126073	Total:	\$	22,125.98
	Register No. 167	•	Check Nos. 126074-126105	Total:	\$	11,657.28
	Register No. 168	Feb 18, 2010	Direct Deposit: 7707-7707	Total:	\$	29.99
	Register No. 169	Feb 18, 2010	Check Nos. 126106-126135	Total:	\$	182,912.40
	Register No. 170	•	Direct Deposit: 7708-7716	Total:	\$	7,456.74
	Register No. 171	Feb 18, 2010	Check Nos. 126136-126150	Total:	\$	5,781.32
	Register No. 172	Feb 19, 2010	Direct Deposit: 7717-7718	Total:	\$	2,629.47
	Register No. 173	Feb 19, 2010	Check Nos. 126151-126158	Total:	\$	19,053.34
	Register No. 174	Feb 19, 2010	Check Nos. 126159-126159	Total:	\$	177.00
	Register No. 175	Feb 19, 2010	Direct Deposit: 7719-7719	Total:	\$	13.96
	Register No. 176	Feb 19, 2010	Check Nos. 126160-126185	Total:	\$	21,395.11
				Total:	<u>\$</u>	358,299.87

REGULAR AGENDA

- APPROVE PERSONNEL ACTIONS ORIGINATING FEBRUARY 18, 2010
 Lana Jensen, Personnel Director -
- 2. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY (Attorney Coverdell Grant)
 - -Danene Jackson, Clerk/Auditor Finance -
- 3. APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR BLAIR A. ABBOTT FOR SN 39:082:0011
 - Sandy Nielson, Clerk/Auditor Abatements -
- 4. APPROVE OR DENY A LATE VETERAN ABATEMENT APPLICATION FOR NEAL A. CURREY FOR SN 51:140:0002
 - Sandy Nielson, Clerk/Auditor Abatements -
- 5. APPROVE OR DENY THE RECOMMENDED AGRICULTURE PROTECTION AREA FOR RICKY TAYLOR AND SIGN THE "NOTICE OF CREATION OF AGRICULTURE PROTECTION AREA," SECTIONS 25 AND 24, TOWNSHIP 9 SOUTH, RANGE 1 EAST AND SECTIONS 19 AND 30, TOWNSHIP 9 SOUTH, RANGE 2 EAST, NORTHWEST OF SANTAQUIN CITY, 148.59 ACRES
 - John Ewing, Community Development -
- 6. APPROVE OR DENY THE VACATION OF LOTS 13 AND 14, VIVIAN PARK SUBDIVISION PLAT "A" AND THE CREATION OF LOT 1, VIVIAN PARK SUBDIVISION PLAT "D"
 - Richard Nielson, Public Works Director -
- 7. APPROVE AND AUTHORIZE AN AGREEMENT BETWEEN UTAH COUNTY AND FRANKLIN COVEY CLIENT SALES, INC. FOR TRAINING SERVICES
 - Owen Shiverdecker, Sheriff's Office -
- 8. APPROVE AN ORDINANCE ADOPTING MAXIMUM OPERATING CAPACITY AND INMATE RETENTION GUIDELINES FOR THE UTAH COUNTY SECURITY CENTER
 - James O. Tracy, Utah County Sheriff -
- 9. APPROVE AND AUTHORIZE THE FIRE SERVICE INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND SANTAQUIN CITY
 - Commissioner Steve White -
- 10. ADOPT A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH DEPARTMENT OF TRANSPORTATION AND UTAH COUNTY RELATED TO FUNDING OF THE PROPOSED GENEVA ROAD PROJECT
 - Commissioner Larry A. Ellertson -
- 11. CONSIDERATION FOR ADOPTION OF A RESOLUTION CREATING THE WEST MOUNTAIN SPECIAL SERVICE DISTRICT, AUTHORIZING THE IMPROVEMENT, PURPOSES AND SERVICES OF THE DISTRICT AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT, AND RELATED MATTERS
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -
- 12. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -

UTAH COUNTY BOARD OF COMMISSIONERS AGENDA - February 23, 2010 Page 3

- 13. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -
- 14. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -
- 15. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -
- 16. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED
 - E. Kent Sundberg, Deputy Attorney/Civil Division Chief -

WORK SESSION

- 1. PRESENTATION OF THE "FRIEND OF 4-H" AWARD TO THE UTAH COUNTY BOARD OF COMMISSIONERS
 - JoLene Bunnell, 4-H -

PUBLIC COMMENTS

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Linda Strickland at (801)851-8111 at least one day prior to the meeting.

ANNUAL NOTICE OF REGULAR MEETING SCHEDULE OF THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH FOR THE YEAR 2010

PUBLIC NOTICE is hereby given that the 2010 Annual Meeting Schedule of the Board of County Commissioners of Utah County, Utah, is as follows

Regular meetings of the Board of County Commissioners of Utah County, Utah, will be held during 2010 at the county seat of Utah County on Tuesday of each week, from 9 00 a m until finished, except for those Tuesdays upon which a national or state holiday occur, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah All regular meetings of the Board of County Commissioners of Utah County, Utah will be held in Room 1400 of the Utah County Administration Building, 100 East Center Street, Provo, Utah, unless otherwise changed by action of a quorum of the Board of County Commissioners of Utah County, Utah

2010 REGULAR MEETING DATES FOR THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH

5	12	19	26	
2	9	16	23	
2	9	16	23	30
6	13	20	27	
4	11	18	25	
1	8	15	22	29
6	13	20	27	
3	10	17	24	31
7	14	21	28	
5	12	19	26	
2	9	16	23	30
7	14	21	28	
	2 2 6 4 1 6 3 7 5	2 9 2 9 6 13 4 11 1 8 6 13 3 10 7 14 5 12 2 9	2 9 16 2 9 16 6 13 20 4 11 18 1 8 15 6 13 20 3 10 17 7 14 21 5 12 19 2 9 16	2 9 16 23 2 9 16 23 6 13 20 27 4 11 18 25 1 8 15 22 6 13 20 27 3 10 17 24 7 14 21 28 5 12 19 26 2 9 16 23

A regular meeting may be canceled without notice by action of a quorum of the Board When, because of unforeseen circumstances, it is necessary for the Board to hold an emergency meeting to consider matters of an emergency or urgent nature, the best notice practicable shall be given No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of the members of the Board and there is a majority vote in the affirmative to hold the meeting

All regular meetings of the Board shall be open to the public unless closed by the Board in the manner described in Section 52-4-204, Utah Code Annotated, 1953 as amended, and, for a purpose described in Section 52-4-205, Utah Code Annotated, 1953 as amended

ADOPTED AND APPROVED this 8th day of December, 2009

BOARD OF COUNTY COMMISSIONERS UTAH COUNTY, UTAH

Larry A Elertson, Chair

Steve White, Commissioner

Gary J Anderson, Commissioner

ATTEST

Bryan E Thompson

Utah County Clerk/Auditor

Dy Jacob

APPROVED AS TO FORM

Jeffrey R Buhman Utah County Attorney

Denut

EXHIBIT B

DESCRIPTION OF THE DISTRICT

Beginning at the north one quarter corner of Section 26, Township 8 South, Range 1 East, SLB&M; thence S00°11'35"W 38.82 feet along the north-south centerline of said section, thence N89°33'34"E 690.24 feet, thence S00°03'02"E 642.17 feet, thence S89°49'38"W 692.94 feet, thence S00°11'34"W 1309.66 feet, thence S89°43'45"W 1205.66 feet to a point on the east side of an existing canal, thence northwesterly along the arc 694.00 foot radius non-tangent curve to the left 80.21 feet through a central angle of 6°37'19" (chord bears N21°36'21"W 80.16 feet), thence N24°55'00"W 155.48 feet, thence along the arc of a 1096.00 foot radius curve to the right 235.96 feet through a central angle of 12°20'00" (chord bears N18°45'00"W 235.47 feet), thence N12°35'00"W 140.67 feet, thence along the arc of a 990.00 foot radius curve to the right 112.31 feet through a central angle of 6°30'00" (chord bears N9°20'00"W 112.25 feet), thence N6°05'00"W 416.82 feet, thence along the arc of a 629.00 foot radius curve to the right 83.43 feet through a central angle of 7°36'00" (chord bears N2°17'00"W 83.37 feet), thence N1°31'00"E 376.30 feet, thence N00°47'00"W 118.06 feet, thence along the arc of a 1933.00 foot radius curve to the left 239.53 feet through a central angle of 7°06'00" (chord bears N4°20'00" W 239.38 feet), thence N7°53'00"W 63.02 feet to the section line, thence N10°08'27"W 667.27 feet along the easterly bank of the canal, thence N36°26'41"W 174.82 feet along the easterly bank of canal, thence N26°11'40"W 1051.94 feet along the easterly bank of the canal, thence N20°47'27"W 81.63 feet along the easterly bank of the canal, thence leaving the canal East 2225.33 feet to the north-south centerline of section 23, thence S00°25'31"W 1804.31 feet along the north-south centerline of said section 23 to the point of beginning.

Area of described parcel is 149.99 acres.

EXHIBIT C

NOTICE OF IMPENDING BOUNDARY ACTION

TO: LIEUTENANT GOVERNOR OF THE STATE OF UTAH

NOTICE OF IMPENDING BOUNDARY ACTION

PLEASE TAKE NOTICE that in accordance with Section 17D-1-209 of the Limited Purpose Local Government Entities—Other Entities, Utah Code Annotated 1953, as amended, the Board of County Commissioners of Utah County, Utah adopted a resolution on February 23, 2010 to create a Special Service District to be known as the "West Mountain Special Service District." The boundary action to which this notice pertains is the establishment of a local entity through the creation of the West Mountain Special Service District, and the undersigned hereby request the issuance of a certificate of incorporation by the Lieutenant Governor. The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED as of this February 23, 2010.

BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH

(SEAL)



County Clerk/Auditor

denous

Vice Chair

Commissione

Attest:

DMWEST #7209384 v1